



PATENT

Attorney Docket No. 36290-0363-00-US (215557)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: : Confirmation No.:
David Ewart ANDERSON, et al. : 5372

Serial No.: 10/549,417 : Group Art Unit:
: 2834
Filed: May 16, 2006 :
: Examiner:
For: WIND TURBINE : Pedro J. CUEVAS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Amendment and Response to Non-Final Office Action Under 37 C.F.R. § 1.111(a)

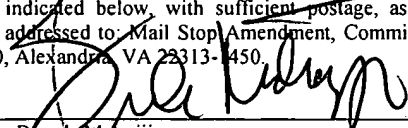
Sir:

This is in reply to the Non-Final Office Action in this application mailed from the United States Patent and Trademark Office on January 29, 2008.

This Amendment and Response is being filed within the third month after the three month shortened statutory period for response. A petition for a three month extension of time under 37 C.F.R. § 1.136(a) is being filed herewith, which resets the deadline to July 29, 2008, accompanied by a check for \$1050 to cover the extension fee per 37 C.F.R. § 1.17(a)(3). A petition under 37 C.F.R. § 1.91(a) is being filed herewith, accompanied by the \$130 fee per 37 C.F.R. § 1.17(h), to provide for entry of the exhibits on the enclosed compact disc. Should any additional fee be determined to be due, please charge such fee and credit any over charge to Deposit Account No. 50-0573.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)	
I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
BY	
DATE:	July 21, 2008

The compact disc containing the audio and video files is being submitted concurrently with a response to the Office Action of January 29, 2008, and is appended thereto. These audio and video files are necessary to demonstrate the patentability of the claimed invention because they demonstrate the dramatic reduction in acoustic noise that results from Applicants' wind turbine design, as recited in the claims, when compared with prior art and competitor wind turbine designs.

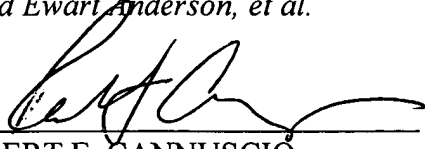
The audio file "Small Scale Wind Turbine Sample (Copy of www.wind-works.org/articles/noiseswt.html#Sources_of_Small_Turbine_Noise).wav" demonstrates the type of noise typically created by small scale wind turbines not having the features claimed by Applicants.

The video file "Renewable Devices Swift Wind Turbine (Copy of www.reneabledevices.com/swift/videoclips.html).wmv" demonstrates that the claimed wind turbine is inaudible over the noises created by a flapping flag and other background noises in a windy harbor.

The video file "Zephyr AirDolphin Wind Turbine (Copy of www.youtube.com/watch?v=mjbg787qQnk).wmv" demonstrate that a competitor's turbine, which purports to be quiet, in fact creates significant noise emissions.

While the Internet addresses of these three files are set forth in the Response to Office Action filed concurrently herewith, Applicants respectfully petition for entry of the enclosed compact discs so that these audio and video files can be placed on the record in the application.

Respectfully submitted,
David Ewart Anderson, et al.

BY 
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